

## **EXHIBIT A**

**Potential Noncompliance Issues**  
**Second Annual Inspection of the Special Treatment Unit**

Prepared by Class Counsel  
August 25, 2014

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23. **Failure to Provide Individually Tailored Therapy for Residents With Low Intellectual Functioning, Language Difficulties, or Visual Impairment.** SA § VI.A.1.a requires the Settled Defendants to provide “individually tailored treatment” to each STU resident that “adequately meets [his] therapeutic needs.” Similarly, SA §§ VI.A.3.b.5 & VI.A.3.d.1 provide that six-month Treatment Team Reviews and annual TPRC Reports must contain an “individualized assessment of the resident’s participation in treatment.” DMHAS does not provide the required individualized treatment or assessment for three disadvantaged sets of residents: those diagnosed with Borderline Intellectual Functioning but *not* placed on the CLS track; those who do not speak English well; and those with severe visual or hearing impairments. Indeed, Treatment Teams and the TPRC almost never tailor their therapeutic prescriptions to these special needs. Instead, they offer curricular recommendations assuming ability on par with the average STU resident. Among the Borderline Intellectual Functioning residents are [REDACTED]

[REDACTED]. Some of these men are functionally illiterate, but are still expected to prepare the same written assignments, read the same module materials, and take the same tests as residents with competent literacy skills. Non-English speaking residents include [REDACTED] (who also has a Borderline Intellectual Functioning diagnosis) and Ruben Ramos (# 252). Visually impaired residents include [REDACTED] who is legally blind due to cataracts.